

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
CIVIL ACTION NO. 7:15-cv-109-BO

ROGER CARNIE, DIANE COUSINS, JOHN)
COUSINS, DANIEL D'ALESSANDRO,)
KELLY D'ALESSANDRO, JAMES)
HENNESSY, JR., FREDERICK HORAK,)
JOANNE HORAK, RUTH PAISKER JOSKO,)
WILLIAM JOSKO, BRUCE LEWIS, KIRA)
LEWIS, MIDLANTIC COASTAL)
PROPERTIES, LLC, CATHARYN NOSEK,)
JOHN NOSEK, ERIC OLSEN, KRISTEN)
OLSEN, JANICE RIMER, JOHN RIMER,)
DEANNA SUE WATTERS, MICHAEL)
WHITLOCK, AND ROBERT WHITLOCK, II,)

CONSENT ORDER

Plaintiffs,)
)

v.)
)

SEAWATCH AT SUNSET HARBOR, INC.,)
SEAWATCH AT SUNSET HARBOR, LLC,)
COASTAL COMMUNITIES AT)
SEAWATCH, LLC, COASTAL)
COMMUNITIES, INC., MARK A.)
SAUNDERS, DEBORAH BOODRO, ALAN)
KARG, MAS PROPERTIES, LLC, OLD)
DOCK LAND AND TIMBER, LLC, THE)
MORTGAGE COMPANY OF BRUNSWICK,)
INC., AND BRENDAN GORDON,)
)

Defendants.)

NOW COME Defendants and Plaintiffs and move the Court to enter this Order remanding the captioned action to Brunswick County Superior Court, from which it was removed by Defendants on May 20, 2015. Defendants removed the captioned action to this Court on the grounds that it involves federal question under the Interstate Land Sales Full Disclosure Act ("ILSA"), 15 U.S.C. § 1701 *et seq.*, but 15 U.S.C. § 1719 provides that "[n]o case arising under this chapter and brought in any State court of competent jurisdiction shall be

removed to any court of the United States, except where the United States or any officer or employee of the United States in his official capacity is a party.”

NOW THEREFORE it is hereby ORDERED that the captioned action be and hereby is remanded to Brunswick County Superior Court.

This the 28th day of May, 2015.

HODGES COXE POTTER & PHILLIPS, LLP GRAEBE HANNA & SULLIVAN, PLLC

/s/ C. Wes Hodges, II

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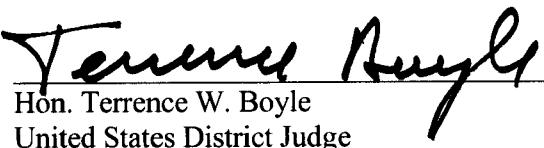
Counsel for Plaintiffs

/s/ Christopher T. Graebe

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Counsel for Defendants

SO ORDERED, this the 11 day of June, 2015.


Hon. Terrence W. Boyle
United States District Judge